

1 AN ACT concerning schools.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing
5 Sections 2-3.105, 3-0.01, 3-1, 3-2, 3-2.5, 3-3, 3-15.6,
6 3-15.9, 3-15.10, 3A-2, and 3A-6 as follows:

7 (105 ILCS 5/2-3.105) (from Ch. 122, par. 2-3.105)
8 Sec. 2-3.105. Services to educational service regions
9 and school districts.

10 (a) Commencing July 1, 1994 and thereafter, the State
11 Board of Education through the office of the State
12 Superintendent of Education shall have and exercise, in and
13 with respect to each educational service region having a
14 population of 2,000,000 or more inhabitants, and in and with
15 respect to each school district located in any such
16 educational service region, all rights, powers, duties and
17 responsibilities theretofore vested in and exercised and
18 performed by the regional superintendent of schools in that
19 educational service region under the provisions of this Act
20 or any other law of this State.

21 (b) Beginning July 1, 2007, the State Board of Education
22 through the office of the State Superintendent of Education
23 shall have and exercise, in and with respect to an
24 educational service region serving that portion of a Class II
25 county outside a city of 500,000 or more population and in
26 and with respect to each school district located in that
27 educational service region, all rights, powers, duties, and
28 responsibilities theretofore vested in and exercised and
29 performed by the regional superintendent of schools and the
30 regional office of education in that educational service
31 region under the provisions of this Code or any other law of

1 this State.

2 (Source: P.A. 87-654; 87-895; 87-1251.)

3 (105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

4 Sec. 3-0.01. "County superintendent of schools" and
5 "regional superintendent of schools" defined - Application of
6 Article.

7 (a) Except as otherwise provided by subsection (b) or
8 (b-1), after the effective date of this amendatory Act of
9 1975, the chief administrative officer of an educational
10 service region shall be designated and referred to as the
11 "regional superintendent of schools" or the "regional
12 superintendent" and after the effective date of this
13 amendatory Act of 1993 the office held by the chief
14 administrative officer shall be designated and referred to as
15 the "regional office of education". For purposes of the
16 School Code and except as otherwise provided by subsection
17 (b) or (b-1), any reference to "county superintendent of
18 schools" or "county superintendent" means the regional
19 superintendent of schools.

20 (b) Subject to subsection (b-1), in educational service
21 regions containing 2,000,000 or more inhabitants, the office
22 of regional superintendent of schools is abolished on July 1,
23 1994. On and after that date in each educational service
24 region in which the office of regional superintendent of
25 schools is so abolished all rights, powers, duties and
26 responsibilities theretofore vested by law in, and exercised
27 and performed by the regional superintendent of schools and
28 by any assistant regional superintendents or other assistants
29 or employees in the office of the regional superintendent of
30 schools so abolished shall be vested in, exercised and
31 performed by the State Board of Education through the office
32 of the State Superintendent of Education. Upon abolition of
33 the office of regional superintendent of schools in an

1 educational service region containing 2,000,000 or more
2 inhabitants: (i) all books, records, maps, papers and other
3 documents belonging to or subject to the control or
4 disposition of the former regional superintendent of schools
5 by virtue of his office shall be transferred and delivered to
6 the State Board of Education; (ii) possession or control over
7 all moneys, deposits and accounts in the possession or
8 subject to the control or disposition of the former regional
9 superintendent of schools by virtue of his office, including
10 but not limited to undistributed or unexpended moneys drawn
11 from, and all amounts on deposit in, the county, institute
12 and supervisory expense funds, shall be transferred to and
13 placed under the control and disposition of the State Board
14 of Education, excepting only those moneys or accounts, if
15 any, the source of which is the county treasury; and (iii)
16 all other equipment, furnishings, supplies and other personal
17 property belonging to or subject to the control or
18 disposition of the former regional superintendent of schools
19 by virtue of his office, excepting only those items which
20 were provided by the county board, shall be transferred and
21 delivered to the State Board of Education. From and after
22 July 1, 1994, any reference in the School Code or any other
23 law of this State to "regional superintendent of schools" or
24 "regional superintendent", or "county superintendent of
25 schools" or "county superintendent" shall mean, with respect
26 to any educational service region containing 2,000,000 or
27 more inhabitants in which the office of regional
28 superintendent of schools is abolished, the State Board of
29 Education serving through the office of the State
30 Superintendent of Education as the chief administrative
31 entity of an educational service region. Upon and after the
32 first Monday of August 1995, references in this Code and
33 elsewhere to educational service regions of 2,000,000 or
34 fewer inhabitants shall exclude any educational service

1 region containing a city of 500,000 or more inhabitants and
2 references in this Code and elsewhere to educational service
3 regions of 2,000,000 or more inhabitants shall mean an
4 educational service region containing a city of 500,000 or
5 more inhabitants regardless of the actual population of the
6 region.

7 (b-1) Until July 1, 2007, references to "regional
8 superintendent" shall also include the regional
9 superintendent of schools in regions serving that portion of
10 a Class II county outside a city of 500,000 or more
11 population elected at the general election in 1994 and every
12 4 years thereafter.

13 In an educational service region serving that portion of
14 a Class II county outside a city of 500,000 or more
15 population, the office of regional superintendent of schools
16 and the regional office of education is abolished on July 1,
17 2007. On and after that date all rights, powers, duties, and
18 responsibilities theretofore vested by law in and exercised
19 and performed by the regional superintendent of schools and
20 by any assistant regional superintendents or other assistants
21 or employees in the office of the regional superintendent of
22 schools so abolished shall be vested in, exercised, and
23 performed by the State Board of Education through the office
24 of the State Superintendent of Education. Upon abolition of
25 the office of regional superintendent of schools and the
26 regional office of education: (i) all books, records, maps,
27 papers, and other documents belonging to or subject to the
28 control or disposition of the former regional superintendent
29 of schools and the regional office of education shall be
30 transferred and delivered to the State Board of Education;
31 (ii) possession or control over all moneys, deposits, and
32 accounts in the possession or subject to the control or
33 disposition of the former regional superintendent of schools
34 and the regional office of education, including but not

1 limited to undistributed or unexpended moneys drawn from and
2 all amounts on deposit in the county, institute, and
3 supervisory expense funds, shall be transferred to and placed
4 under the control and disposition of the State Board of
5 Education, excepting only those moneys or accounts, if any,
6 the source of which is the county treasury; and (iii) all
7 other equipment, furnishings, supplies, and other personal
8 property belonging to or subject to the control or
9 disposition of the former regional superintendent of schools
10 and the regional office of education, excepting only those
11 items that were provided by the county board, shall be
12 transferred and delivered to the State Board of Education.

13 Beginning July 1, 2007, any reference in this Code or any
14 other law of this State to "regional superintendent of
15 schools", "regional superintendent", "county superintendent
16 of schools", or "county superintendent" shall mean, with
17 respect to an educational service region serving that portion
18 of a Class II county outside a city of 500,000 or more
19 population, the State Board of Education serving through the
20 office of the State Superintendent of Education as the chief
21 administrative entity of an educational service region.

22 (c) This Article applies to the regional superintendent
23 of a multicounty educational service region formed under
24 Article 3A as well as to a single county or partial county
25 region, except that in case of conflict between the
26 provisions of this Article and of Article 3A in the case of a
27 multicounty region, the provisions of Article 3A shall apply.
28 Any reference to "county" or to "educational service region"
29 in this Article means a regional office of education.

30 (Source: P.A. 87-654; 87-895; 87-1251; 88-89.)

31 (105 ILCS 5/3-1) (from Ch. 122, par. 3-1)

32 Sec. 3-1. Election; eligibility. Quadrennially there
33 shall be elected in every county, except those which have

1 been consolidated into a multicounty educational service
2 region under Article 3A and except those having a population
3 of 2,000,000 or more inhabitants, and beginning in 1994 until
4 2006 in that portion of a Class II county outside a city of
5 500,000 or more inhabitants and constituting an educational
6 service region, a regional superintendent of schools, who
7 shall enter upon the discharge of his duties on the first
8 Monday of August next after his election; provided, however,
9 that the term of office of each regional superintendent of
10 schools in office on June 30, 2003 is terminated on July 1,
11 2003, except that an incumbent regional superintendent of
12 schools shall continue to serve until his successor is
13 elected and qualified, and each regional superintendent of
14 schools elected at the general election in 2002 and every
15 four years thereafter shall assume office on the first day of
16 July next after his election. No one is eligible to file his
17 petition at any primary election for the nomination as
18 candidate for the office of regional superintendent of
19 schools nor to enter upon the duties of such office either by
20 election or appointment unless he possesses the following
21 qualifications: (1) he is of good character, (2) he has a
22 master's degree, (3) he has earned at least 20 semester hours
23 of credit in professional education at the graduate level,
24 (4) he holds a valid all grade supervisory certificate or a
25 valid state limited supervisory certificate, or a valid state
26 life supervisory certificate, or a valid administrative
27 certificate, (5) he has had at least 4 years experience in
28 teaching, and (6) he was engaged for at least 2 years of the
29 4 previous years in full time teaching or supervising in the
30 common public schools or serving as a county superintendent
31 of schools or regional superintendent of schools for an
32 educational service region in the State of Illinois.

33 No petition of any candidate for nomination for the
34 office of regional superintendent of schools may be filed and

1 no such candidate's name may be placed on a primary or
2 general election ballot, unless such candidate files as part
3 of his petition a certificate from the State Board of
4 Education certifying that from the records of its office such
5 candidate has the qualifications required by this Section;
6 however, any incumbent filing his petition for nomination for
7 a succeeding term of office shall not be required to attach
8 such certificate to his petition of candidacy.

9 Nomination papers filed under this Section are not valid
10 unless the candidate named therein files with the county
11 clerk or State Board of Elections a statement of economic
12 interests as required by the Illinois Governmental Ethics
13 Act. Such receipt shall be so filed either previously during
14 the calendar year in which his nomination papers were filed
15 or within the period for the filing of nomination papers in
16 accordance with the general election law.

17 The changes in qualifications made by Public Act 76-1563
18 do not affect the right of an incumbent to seek reelection.

19 On and after July 1, 1994, the provisions of this Section
20 shall have no application in any educational service region
21 having a population of 2,000,000 or more inhabitants;
22 provided further that no election shall be held in November
23 of 1994 or at any other time after July 1, 1992 for the
24 office of regional superintendent of schools in any county or
25 educational service region having a population of 2,000,000
26 or more inhabitants.

27 Beginning July 1, 2007, this Section shall have no
28 application in an educational service region serving that
29 portion of a Class II county outside a city of 500,000 or
30 more population, and no election shall be held in 2006 or
31 thereafter for the office of regional superintendent of
32 schools in an educational service region serving that portion
33 of a Class II county outside a city of 500,000 or more
34 population.

1 (Source: P.A. 89-383, eff. 8-18-95; 90-280, eff. 7-31-97.)

2 (105 ILCS 5/3-2) (from Ch. 122, par. 3-2)

3 Sec. 3-2. Oath of office - Bond - Salary. Before
4 entering upon his or her duties a regional superintendent of
5 schools shall take and subscribe the oath prescribed by the
6 Constitution and execute a bond payable to the People of the
7 State of Illinois with 2 or more responsible persons having
8 an interest in real estate as sureties (or, if the county is
9 self-insured, the county through its self-insurance program
10 may provide bonding), to be approved by the county board in a
11 penalty of not less than \$100,000, conditioned upon the
12 faithful discharge of his or her duties and upon the delivery
13 to his or her successor in office of all monies, books,
14 papers and property in his or her custody as such regional
15 superintendent of schools.

16 This bond shall be filed in the office of the county
17 clerk, and action upon it may be maintained by any corporate
18 body interested, for the benefit of any township or fund
19 injured by any breach of its condition.

20 If any vacancy in the office of regional superintendent
21 of schools occurs, such vacancy shall be filled in the manner
22 provided by Section 3A-6.

23 Regional Superintendents of Schools shall receive the
24 salary provided by Section 3-2.5.

25 On and after July 1, 1994, the provisions of this Section
26 shall have no application in any educational service region
27 having a population of 2,000,000 or more inhabitants.

28 Beginning July 1, 2007, this Section shall have no
29 application in an educational service region serving that
30 portion of a Class II county outside a city of 500,000 or
31 more population.

32 (Source: P.A. 88-387; 89-233, eff. 1-1-96.)

1 (105 ILCS 5/3-2.5)

2 Sec. 3-2.5. Salaries.

3 (a) Except as otherwise provided in this Section, the
4 regional superintendents of schools shall receive for their
5 services an annual salary according to the population, as
6 determined by the last preceding federal census, of the
7 region they serve, as set out in the following schedule:

8 SALARIES OF REGIONAL SUPERINTENDENTS OF
9 SCHOOLS

10 POPULATION OF REGION	11 ANNUAL SALARY
12 Less than 48,000	\$73,500
13 48,000 to 99,999	\$78,000
14 100,000 to 999,999	\$81,500
15 1,000,000 and over	\$83,500

16 The changes made by Public Act 86-98 in the annual salary
17 that the regional superintendents of schools shall receive
18 for their services shall apply to the annual salary received
19 by the regional superintendents of schools during each of
20 their elected terms of office that commence after July 26,
1989 and before the first Monday of August, 1995.

21 The changes made by Public Act 89-225 in the annual
22 salary that regional superintendents of schools shall receive
23 for their services shall apply to the annual salary received
24 by the regional superintendents of schools during their
25 elected terms of office that commence after August 4, 1995
26 and end on August 1, 1999.

27 The changes made by this amendatory Act of the 91st
28 General Assembly in the annual salary that the regional
29 superintendents of schools shall receive for their services
30 shall apply to the annual salary received by the regional
31 superintendents of schools during each of their elected terms
32 of office that commence on or after August 2, 1999.

33 Beginning July 1, 2000, the salary that the regional
34 superintendent of schools receives for his or her services

1 shall be adjusted annually to reflect the percentage
 2 increase, if any, in the most recent Consumer Price Index, as
 3 defined and officially reported by the United States
 4 Department of Labor, Bureau of Labor Statistics, except that
 5 no annual increment may exceed 2.9%. If the percentage of
 6 change in the Consumer Price Index is a percentage decrease,
 7 the salary that the regional superintendent of schools
 8 receives shall not be adjusted for that year.

9 When regional superintendents are authorized by the
 10 School Code to appoint assistant regional superintendents,
 11 the assistant regional superintendent shall receive an annual
 12 salary based on his or her qualifications and computed as a
 13 percentage of the salary of the regional superintendent to
 14 whom he or she is assistant, as set out in the following
 15 schedule:

16 SALARIES OF ASSISTANT REGIONAL SUPERINTENDENTS

17 QUALIFICATIONS OF	17 PERCENTAGE OF SALARY
18 ASSISTANT REGIONAL	18 OF REGIONAL
19 SUPERINTENDENT	19 SUPERINTENDENT
20 No Bachelor's degree, but State 21 certificate valid for teaching 22 and supervising.	70%
23 Bachelor's degree plus 24 State certificate valid 25 for supervising.	75%
26 Master's degree plus 27 State certificate valid 28 for supervising.	90%

29 However, in any region in which the appointment of more
 30 than one assistant regional superintendent is authorized,
 31 whether by Section 3-15.10 of this Code or otherwise, not
 32 more than one assistant may be compensated at the 90% rate
 33 and any other assistant shall be paid at not exceeding the
 34 75% rate, in each case depending on the qualifications of the

1 assistant.

2 The salaries provided in this Section for regional
3 superintendents and assistant regional superintendents are
4 payable monthly from the Common School Fund. The State
5 Comptroller in making his or her warrant to any county for
6 the amount due it from the Common School Fund shall deduct
7 from it the several amounts for which warrants have been
8 issued to the regional superintendent, and any assistant
9 regional superintendent, of the educational service region
10 encompassing the county since the preceding apportionment of
11 the Common School Fund.

12 County boards may provide for additional compensation for
13 the regional superintendent or the assistant regional
14 superintendents, or for each of them, to be paid quarterly
15 from the county treasury.

16 (b) Upon abolition on July 1, 1994, of the office of
17 regional superintendent of schools in educational service
18 regions containing 2,000,000 or more inhabitants as provided
19 in Section 3-0.01 of this Code, the provisions of subsection
20 (a) of this Section shall no longer apply in any educational
21 service region in which the office of regional superintendent
22 of schools is so abolished, and no salary or other
23 compensation shall be payable under that subsection (a) or
24 under any other provision of this Section with respect to the
25 office so abolished or with respect to any assistant position
26 to the office so abolished.

27 (b-5) Upon abolition on July 1, 2007 of the office of
28 regional superintendent of schools and the regional office of
29 education in an educational service region serving that
30 portion of a Class II county outside a city of 500,000 or
31 more population as provided in Section 3-0.01 of this Code,
32 subsection (a) of this Section shall no longer apply in the
33 educational service region, and no salary or other
34 compensation shall be payable under subsection (a) or any

1 other provision of this Section with respect to the office so
2 abolished or with respect to any assistant position to the
3 office so abolished.

4 (c) If the State pays all or any portion of the employee
5 contributions required under Section 16-152 of the Illinois
6 Pension Code for employees of the State Board of Education,
7 it shall also pay the employee contributions required of
8 regional superintendents of schools and assistant regional
9 superintendents of schools on the same basis, but excluding
10 any contributions based on compensation that is paid by the
11 county rather than the State.

12 This subsection (c) applies to contributions based on
13 payments of salary earned after the effective date of this
14 amendatory Act of the 91st General Assembly, except that in
15 the case of an elected regional superintendent of schools,
16 this subsection does not apply to contributions based on
17 payments of salary earned during a term of office that
18 commenced before the effective date of this amendatory Act.

19 (Source: P.A. 91-276, eff. 7-23-99.)

20 (105 ILCS 5/3-3) (from Ch. 122, par. 3-3)

21 Sec. 3-3. Practice of other profession. It is unlawful
22 for any county superintendent of schools to practice or to
23 hold himself out as practicing any other profession.
24 Violation of this section shall be a cause of forfeiture of
25 office.

26 On and after July 1, 1994, the provisions of this Section
27 shall have no application in any educational service region
28 having a population of 2,000,000 or more inhabitants.

29 Beginning July 1, 2007, this Section shall have no
30 application in an educational service region serving that
31 portion of a Class II county outside a city of 500,000 or
32 more population.

33 (Source: P.A. 87-654; 87-1251.)

1 (105 ILCS 5/3-15.6) (from Ch. 122, par. 3-15.6)
 2 Sec. 3-15.6. Additional employees. To employ, with the
 3 approval of the county board, such additional employees as
 4 are needed for the discharge of the duties of the office. The
 5 non-clerical employees shall be persons versed in the
 6 principles and methods of education, familiar with public
 7 school work, competent to visit schools and certificated
 8 pursuant to this Code if their duties are comparable to those
 9 for which certification is required by this Code.

10 On and after July 1, 1994, the provisions of this Section
 11 shall have no application in any educational service region
 12 having a population of 2,000,000 or more inhabitants.

13 Beginning July 1, 2007, this Section shall have no
 14 application in an educational service region serving that
 15 portion of a Class II county outside a city of 500,000 or
 16 more population.

17 (Source: P.A. 86-361; 87-654; 87-1251.)

18 (105 ILCS 5/3-15.9) (from Ch. 122, par. 3-15.9)
 19 Sec. 3-15.9. Delivery of money, books, papers and
 20 property to successor. Upon his removal or resignation, or at
 21 the expiration of his term of office, or in case of his death
 22 his representatives to deliver to his successor in office, on
 23 demand, all moneys, books, papers and personal property
 24 belonging to his office or subject to his control or
 25 disposition.

26 On and after July 1, 1994, the provisions of this Section
 27 shall have no application in any educational service region
 28 having a population of 2,000,000 or more inhabitants.

29 Beginning July 1, 2007, this Section shall have no
 30 application in an educational service region serving that
 31 portion of a Class II county outside a city of 500,000 or
 32 more population.

33 (Source: P.A. 87-654; 87-1251.)

1 (105 ILCS 5/3-15.10) (from Ch. 122, par. 3-15.10)
2 Sec. 3-15.10. Assistant Regional Superintendent. To
3 employ, in counties or regions of 2,000,000 inhabitants or
4 less, in addition to any assistants authorized to be employed
5 with the approval of the county board, an assistant regional
6 superintendent of schools who shall be a person of good
7 attainment, versed in the principles and methods of
8 education, and qualified to teach and supervise schools under
9 Article 21 of this Act; to fix the term of such assistant and
10 direct his work and define his duties. Until July 1, 2007, in
11 regions established within that portion of a Class II county
12 outside a city of 500,000 or more inhabitants, the regional
13 superintendent may employ, in addition to any assistants
14 authorized to be employed with the approval of the county
15 board, 3 assistant regional superintendents of schools.
16 Until July 1, 1994, in counties or regions having a
17 population of more than 2,000,000 inhabitants the regional
18 superintendent may employ, in addition to any assistants
19 authorized to be employed with the approval of the county
20 board, 11 assistant regional superintendents of schools.
21 Assistant regional superintendents shall each be a person of
22 good attainment, versed in the principles and methods of
23 education, and qualified to teach and supervise schools under
24 Article 21 of this Act. The work of such assistant regional
25 superintendent shall be so arranged and directed that the
26 county or regional superintendent and assistant
27 superintendent, together, shall devote an amount of time
28 during the school year, equal to at least the full time of
29 one individual, to the supervision of schools and of teaching
30 in the schools of the county.

31 Notwithstanding any of the provisions of this Section,
32 any person who, on July 1, 1955, was employed as an assistant
33 county superintendent of schools shall be qualified for that
34 position if he holds a state certificate valid for teaching

1 and supervising.

2 On July 1, 1994, the employment of all persons serving as
3 assistant county or regional superintendents in any county or
4 educational service region having a population of more than
5 2,000,000 inhabitants is terminated, the office of assistant
6 county or regional superintendent in each such county or
7 educational service region is abolished, and this Section
8 shall, from and after July 1, 1994, have no further
9 application in any such county or educational service region.

10 On July 1, 2007, the employment of all persons serving as
11 assistant county or regional superintendents in an
12 educational service region serving that portion of a Class II
13 county outside a city of 500,000 or more population is
14 terminated, the office of assistant county or regional
15 superintendent in that educational service region is
16 abolished, and this Section shall, beginning July 1, 2007,
17 have no further application in that educational service
18 region.

19 A regional superintendent of schools shall not employ his
20 or her spouse, child, stepchild, or relative as an assistant
21 regional superintendent of schools. By September 1 each year,
22 a regional superintendent shall certify to the State Board of
23 Education that he or she has complied with this paragraph. If
24 the State Board of Education becomes aware of the fact that a
25 regional superintendent is employing his or her spouse,
26 child, stepchild, or relative as an assistant regional
27 superintendent, the State Board of Education shall not
28 request for payment from the State Comptroller any warrants
29 for the payment of the assistant regional superintendent's
30 salary. In this paragraph, "relative" means a grandparent,
31 parent, aunt, uncle, sibling, first cousin, nephew, niece,
32 grandchild, or spouse of one of these persons. This paragraph
33 applies only to contracts for employment entered into on or
34 after the effective date of this amendatory Act of the 91st

1 General Assembly.

2 (Source: P.A. 91-764, eff. 6-9-00.)

3 (105 ILCS 5/3A-2) (from Ch. 122, par. 3A-2)

4 Sec. 3A-2. Regional superintendent-County superintendent
5 of schools. The chief administrative officer of an
6 educational service region shall be designated and referred
7 to as "Regional Superintendent of Schools" or "regional
8 superintendent."

9 Such person shall, in his region, have the powers and
10 duties and perform the functions required of or exercisable
11 by a county superintendent of schools, except as otherwise
12 provided by law.

13 Any reference to "county superintendent of schools" in
14 The School Code or any other Illinois statute means and
15 refers to the regional superintendent of schools for an
16 educational service region.

17 In an educational service region serving that portion of
18 a Class II county outside a city of 500,000 or more
19 population, the office of regional superintendent of schools
20 is abolished on July 1, 2007 as provided in Section 3-0.01 of
21 this Code.

22 (Source: P.A. 79-1057.)

23 (105 ILCS 5/3A-6) (from Ch. 122, par. 3A-6)

24 Sec. 3A-6. Election of Superintendent for consolidated
25 region - Bond - Vacancies in any educational service region.

26 (a) The regional superintendent to be elected under
27 Section 3A-5 shall be elected at the time provided in the
28 general election law and must possess the qualifications
29 described in Section 3-1 of this Act.

30 (b) The bond required under Section 3-2 shall be filed
31 in the office of the county clerk in the county where the
32 regional office is situated, and a certified copy of that

1 bond shall be filed in the office of the county clerk in each
2 of the other counties in the region.

3 (c) When a vacancy occurs in the office of regional
4 superintendent of schools of any educational service region
5 which is not located in a county which is a home rule unit,
6 such vacancy shall be filled within 60 days (i) by
7 appointment of the chairman of the county board, with the
8 advice and consent of the county board, when such vacancy
9 occurs in a single county educational service region; or (ii)
10 by appointment of a committee composed of the chairmen of the
11 county boards of those counties comprising the affected
12 educational service region when such vacancy occurs in a
13 multicounty educational service region, each committeeman to
14 be entitled to one vote for each vote that was received in
15 the county represented by such committeeman on the committee
16 by the regional superintendent of schools whose office is
17 vacant at the last election at which a regional
18 superintendent was elected to such office, and the person
19 receiving the highest number of affirmative votes from the
20 committeemen for such vacant office to be deemed the person
21 appointed by such committee to fill the vacancy. The
22 appointee shall be a member of the same political party as
23 the regional superintendent of schools the appointee succeeds
24 was at the time such regional superintendent of schools last
25 was elected. The appointee shall serve for the remainder of
26 the term. However, if more than 28 months remain in that
27 term, the appointment shall be until the next general
28 election, at which time the vacated office shall be filled by
29 election for the remainder of the term. Nominations shall be
30 made and any vacancy in nomination shall be filled as
31 follows:

32 (1) If the vacancy in office occurs before the
33 first date provided in Section 7-12 of the Election Code
34 for filing nomination papers for county offices for the

1 primary in the next even-numbered year following
2 commencement of the term of office in which the vacancy
3 occurs, nominations for the election for filling the
4 vacancy shall be made pursuant to Article 7 of the
5 Election Code.

6 (2) If the vacancy in office occurs during the time
7 provided in Section 7-12 of the Election Code for filing
8 nomination papers for county offices for the primary in
9 the next even-numbered year following commencement of the
10 term of office in which the vacancy occurs, the time for
11 filing nomination papers for the primary shall not be
12 more than 91 days nor less than 85 days prior to the date
13 of the primary.

14 (3) If the vacancy in office occurs after the last
15 day provided in Section 7-12 of the Election Code for
16 filing nomination papers for county offices for the
17 primary in the next even-numbered year following
18 commencement of the term of office in which the vacancy
19 occurs, a vacancy in nomination shall be deemed to have
20 occurred and the county central committee of each
21 established political party (if the vacancy occurs in a
22 single county educational service region) or the
23 multi-county educational service region committee of each
24 established political party (if the vacancy occurs in a
25 multi-county educational service region) shall nominate,
26 by resolution, a candidate to fill the vacancy in
27 nomination for election to the office at the general
28 election. In the nomination proceedings to fill the
29 vacancy in nomination, each member of the county central
30 committee or the multi-county educational service region
31 committee, whichever applies, shall have the voting
32 strength as set forth in Section 7-8 or 7-8.02 of the
33 Election Code, respectively. The name of the candidate
34 so nominated shall not appear on the ballot at the

1 general primary election. The vacancy in nomination
2 shall be filled prior to the date of certification of
3 candidates for the general election.

4 (4) The resolution to fill the vacancy shall be
5 duly acknowledged before an officer qualified to take
6 acknowledgments of deeds and shall include, upon its
7 face, the following information: (A) the name of the
8 original nominee and the office vacated; (B) the date on
9 which the vacancy occurred; and (C) the name and address
10 of the nominee selected to fill the vacancy and the date
11 of selection. The resolution to fill the vacancy shall be
12 accompanied by a statement of candidacy, as prescribed in
13 Section 7-10 of the Election Code, completed by the
14 selected nominee, a certificate from the State Board of
15 Education, as prescribed in Section 3-1 of this Code, and
16 a receipt indicating that the nominee has filed a
17 statement of economic interests as required by the
18 Illinois Governmental Ethics Act.

19 The provisions of Sections 10-8 through 10-10.1 of the
20 Election Code relating to objections to nomination papers,
21 hearings on objections, and judicial review shall also apply
22 to and govern objections to nomination papers and resolutions
23 for filling vacancies in nomination filed pursuant to this
24 Section. Unless otherwise specified in this Section, the
25 nomination and election provided for in this Section is
26 governed by the general election law.

27 Except as otherwise provided by applicable county
28 ordinance or by law, if a vacancy occurs in the office of
29 regional superintendent of schools of an educational service
30 region that is located in a county that is a home rule unit
31 and that has a population of less than 2,000,000 inhabitants,
32 that vacancy shall be filled by the county board of such home
33 rule county.

34 Until July 1, 2003 or until the regional superintendent

1 of schools elected in 2002 takes office, whichever occurs
2 first, if a vacancy exists in the office of regional
3 superintendent of schools of an educational service region
4 that is located in a county that is a home rule unit and that
5 has a population of 2,000,000 or more inhabitants, then that
6 vacancy shall be filled by the first assistant
7 superintendent/deputy superintendent until the end of the
8 term to which the regional superintendent was elected.

9 Beginning July 1, 2007, this Section shall have no
10 application in an educational service region serving that
11 portion of a Class II county outside a city of 500,000 or
12 more population.

13 Any person appointed to fill a vacancy in the office of
14 regional superintendent of schools of any educational service
15 region must possess the qualifications required to be elected
16 to the position of regional superintendent of schools, and
17 shall obtain a certificate of eligibility from the State
18 Superintendent of Education and file same with the county
19 clerk of the county in which the regional superintendent's
20 office is located.

21 If the regional superintendent of schools is called into
22 the active military service of the United States, his office
23 shall not be deemed to be vacant, but a temporary appointment
24 shall be made as in the case of a vacancy. The appointee
25 shall perform all the duties of the regional superintendent
26 of schools during the time the regional superintendent of
27 schools is in the active military service of the United
28 States, and shall be paid the same compensation apportioned
29 as to the time of service, and such appointment and all
30 authority thereunder shall cease upon the discharge of the
31 regional superintendent of schools from such active military
32 service. The appointee shall give the same bond as is
33 required of a regularly elected regional superintendent of
34 schools.

1 (Source: P.A. 92-277, eff. 8-7-01; 92-869, eff. 1-3-03.)